

**BOROUGH OF WESTWOOD  
PUBLIC MEETING OF THE MAYOR & COUNCIL  
JUNE 19, 2012 MINUTES  
MUNICIPAL COMPLEX  
101 Washington Avenue  
7:30 PM Executive Closed Session/8:00 pm Public Session**

**1. Opening of the Meeting:**

The meeting was called to order by Mayor Birkner at 7:30 pm. Mayor Birkner then read the Open Public Meetings Law Statement: "This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regular Borough Council meeting. Notices have been filed with our local official newspapers and posted on the municipal bulletin board."

**2. Roll Call:**

Mayor Birkner – Present  
Councilmember Grefrath – Present  
Councilmember Miller - Present  
Councilmember Phayre – Absent  
Councilmember Quinn - Present  
Councilmember Sciara - Absent  
Council President Waneck - Present  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington - Present  
Borough Clerk Hughes – Present

**Committee Assignments:**

Health & Recreation  
Police & OEM  
Finance, Administration & Capital Projects  
Land Use  
Fire & Ambulance  
Public Properties

**3. Resolution #12 - 163: Executive Closed Session**

Motion: Councilmember Miller Second: Council President Waneck

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Absent	Councilmember Quinn – Yes
Councilmember Sciara – Absent	Council President Waneck – Yes

**4. Reopen the Meeting:**

**Motion to reopen the meeting:** Councilmember Miller Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 8:00 pm.

**5. Roll Call II:**

Mayor Birkner – Present  
Councilmember Grefrath - Present  
Councilmember Miller – Present  
Councilmember Phayre - Absent  
Councilmember Quinn – Present  
Councilmember Sciara - Absent  
Council President Waneck – Present (arrived 8:20 pm)  
Borough Administrator Hoffmann – Present  
Borough Attorney Huntington - Present  
Borough Engineer Senkevich - Present  
Borough Clerk Hughes – Present

**6. Flag Salute**

Councilmember Miller gave the invocation. Mayor Birkner led those present in the salute to the flag.

**7. Minutes – May 1, 2012 Work Session**

**Motion to adopt the May 1, 2012 Work Session Minutes:** Councilmember Grefrath

Second: Councilmember Miller

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Absent	Councilmember Quinn – Yes
Councilmember Sciara – Absent	Council President Waneck – Absent

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**8. Proclamations for Good Samaritan Responders**

Mayor Birkner presented certificates to the following individuals in appreciation of their lifesaving efforts on May 1, 2012 when Nicola Giancaspro suffered a heart attack during a Lacrosse game: Michele Beltram, Karen Decristina, Sarah Huvane, Lisa Kauffmann, Sandra Marini, Eamonn Twomey, Oradell Police Officer Marc Fedorchak, Westwood Police Officer Peter Cassells, Westwood Police Officer Dean McCarroll, Westwood Police Sergeant Robert Held, RiverVale Ambulance Corps, HUMC MIC Unit.

**9. Police Years of Service Awards**

Mayor Birkner presented certificates to the following Police Officers in commemoration of their years of service with the Borough: Officer Richard Antonacci – 5 years; Special Officer Bulent “Billy” Can – 5 years; Officer Niko Pieratos – 10 years; Officer Colin McNamara – 10 years; Officer Peter Cassells – 10 years; Sergeant Robert Held – 30 years.

**10. Fire Department Scholarships – Austin Collignon, Nicole Linder**

Fire Chief JayMee Hodges presented the annual Fire Department Scholarship to Austin Collignon. Nicole Linder was not in attendance.

There was a brief break in the proceedings to allow attendees to leave.

**11. Reports of Committees and Officials:**

**A) Mayor’s Report**

Mayor Birkner offered congratulations to all graduates.

**B) Engineer’s Report**

**1) Bi-weekly Report**

Dr. Boswell reviewed his bi-weekly report, a copy of which is attached.

**2) Train Signalization/Park and Madison**

Dr. Boswell advised that everything is complete for the Broadway signalization project and under final review. He announced that this would be the last chance to incorporate the changes to Park and Madison Avenues into the project. Dr. Boswell estimates that the cost to do all of the work previously discussed on Park and Madison would be \$240,000. Mayor Birkner responded that the Governing Body is not prepared to make those decisions tonight. Council President Waneck voiced her concerns, including the need for a traffic study, the potential loss of parking, and giving notice to the residents and businesses to attend the discussion on the changes. Mayor Birkner suggested scheduling the discussion for the next meeting. Councilmember Quinn pointed

out that there is no work session in July. Mayor Birkner recommended a subcommittee meet to review the plans and report back at the next meeting. Councilmember Phayre and Councilmember Sciara were appointed along with Mr. Hoffmann and Mayor Birkner.

**3) Barrier Free Ramp Project**

Dr. Boswell reported that the barrier-free ramp project is being closed out. Council President Waneck asked if the new round of funding could be used retroactively. Dr. Boswell said the project was already grant-funded through the CDBG. Council President Waneck asked if there are any plans for cut cuts right now. Dr. Boswell said the County will need to tell the Borough its paving plans.

**C) Council Liaison & Committee Reports**

**1) Police and OEM:**

**a) Historic Committee Update**

Councilmember Miller reported that the Historic Commission is working on establishing a historic district on Westwood Avenue.

**b) Police Interviews**

Councilmember Miller said the Police Committee is asking for permission to proceed with the Police interview process. This is not for hiring but for establishing a list for when hiring is authorized. Councilmember Quinn asked if there is still a valid list. Councilmember Miller said it expired at the end of 2011. The Governing Body and Police Chief discussed the process and the number of candidates that will be interviewed. The consensus was to move forward with the interview process with the stipulation that this is not a hiring process but an interview process to identify candidates for potential openings.

**3) Fire and Ambulance:**

**a) Environmental Committee**

Council President Waneck reported that the Environmental Committee and Rutgers will be cohosting a rain barrel workshop. Details are on the Borough website.

**4) Public Properties:**

No report.

**5) Land Use: IQ**

**a) Land Use Boards Update**

Councilmember Quinn reported that the Zoning Board held a special meeting to review the Care One application for expansion. A vote will be held at the next meeting.

The Mast Plan Reexamination ordinances, 12-15 through 18, are being pulled until the Planning Board reviews them further.

**6) Health and Recreation:**

**a) Westwood Pride Day/Veterans Park**

Councilmember Grefrath commented that the Council booth was well-attended during Westwood Pride Day. The booth featured the map of the Veterans Park renovations.

Councilmember Grefrath is pleased that the award of contract for the renovations is being voted on tonight. He has already started to work with the Veterans organizations on the refurbishment of that quad.

**b) Memorial Bench Program**

Councilmember Grefrath reported that \$3500 is in the trust fund for the benches, and he gave a breakdown of where the funds are being applied, including a bench for Fireman's Park that was ordered by the Auxiliary.

**c) Recreation Update**

The Summer Concert Series begins on June 28<sup>th</sup>.

**d) Approvals for Use of Veterans Park**

Mrs. Hughes discussed her memo regarding the approval process for the use of Veterans Park by small groups. The consensus was to allow approval in-house for small groups, while large events will still require Council review and approval.

**e) Eagle Scout Project at Veterans Park**

Mayor Birkner noted that the Eagle Scout project to replace the mortar base in Veterans Park is moving forward. Anthony Catalano is doing a remarkable job. Councilmember Grefrath said work will revolve around that project when that quad is redesigned. Council President Waneck pointed out the nicely redone signs in the park, which Mayor Birkner said were done by the same Scout.

**D) Attorney's Report**

No report.

**E) Administrator's / Clerk's Report**

**1) 2012 County Open Space Trust Fund Grant**

Mr. Hoffmann reviewed the details and deadline for the open space grant. One suggestion is to refurbish the tennis courts at McKinley Park.

**2) 33 Grand Street Water Main Extension**

Mr. Hoffmann explained that the Construction Official and Borough Engineer recommend the water main extension at 33 Grand Street, with the caveat that the contractor pave from curb to curb. Council President Waneck asked if there is a new building being proposed, and how this will affect the Borough's outflow. Mr. Hoffmann said the Borough will be charged for outflow. Mayor Birkner noted this is a water service line, and asked if it is a single occupancy house. Mr. Hoffmann said yes. Mayor Birkner asked if a water service is already there. Mr. Hoffmann thinks this is for a 1 inch line. Mayor Birkner surmised it is an upgrade. Mr. Hoffmann will find out if it is a single occupancy house. Council President Waneck asked the cost to the Borough. Mr. Huntington said there is no cost. Any resident who wants water service is entitled to get it based on United Water's franchise. Council President Waneck pointed out that the Borough's outflow charge is already over. Mayor Birkner said this is an upgrade and the location is already generating sanitary sewage. Council

President Waneck said it wasn't clear that it is an upgrade.

**3) Dogfest at Westvale Park**

Mr. Hoffmann discussed the proposed Dog Fest, to be held in a grassy area near the dog run. Organizers expect about 245 people. Mayor Birkner asked how many dogs. Mr. Hoffmann said they estimate about 100. Council President Waneck asked what the upside and downside would be. Mr. Hoffmann said the event will bring people into the park, and showcase the dog run. Council President Waneck asked if they will clean up. Mr. Hoffmann said they will provide insurance, post a bond, and clean up the area for all types of litter. The Borough will have our custodian on standby to ensure the cleanup occurs. Councilmember Quinn said another upside is showcasing dogs to be adopted. She was recently at a dog festival in Long Branch, and thinks it is a nice thing.

**4) Opposing S96 Unlawful Conduct Penalties to be Sent to State**

Mr. Hoffmann discussed the draft resolution opposing S96, which sends penalty funds to the State.

**12. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Grefrath

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the Affirmative.

JayMee Hodges, 40 Second Avenue – thanked everyone on behalf of his family for their support of the Christopher Hrbek Scholarship Fund Dad's Dash, which was an absolute success. There were over 440 runners and 150 walkers. The feedback was positive. Mayor Birkner commented that it was a remarkable event. Councilmember Quinn's family ran, and there was a great outpouring of support from the Paramus Catholic High School football team, who brought in \$6,000 in sponsorships. The Westwood Regional High School wrestling team also showed up in force.

From his position as Fire Chief, Mr. Hodges next discussed the issue of sirens, based on a complaint by the resident at 32 Cypress Street that the siren there is in disrepair. Chief Hodges said the Borough is paying \$4-6,000 for phone lines and electrical standby charges for sirens that are no longer used. He recommends removing the sirens that are located in residential areas on their own poles. He will give the location information to Mr. Hoffmann to get the lines disconnected, at which point the DPW can take them down. Chief Hodges believes that the siren on the firehouse is more than adequate.

**Motion to close the Agenda/Public Forum:** Councilmember Grefrath

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**13. Ordinances of First & Final Reading:**

**Ordinances on Introduction**

~~12-15 — An Ordinance To Amend Chapter 195, Zoning, Article XIX, Sign Regulations, Of The Code Of The Borough Of Westwood~~

~~12-16 — An Ordinance To Amend Chapter 195 Article XIV, Zone Districts And Permitted Uses,~~

~~Of The Code Of The Borough Of Westwood To Add A Cemetery District~~

~~12-17 — An Ordinance To Amend Chapter 195 Article XIV, Zoning And Permitted Uses,  
Specifically The LM Light Manufacturing District, Of The Code Of The Borough Of  
Westwood~~

~~12-18 — An Ordinance To Amend Chapter 195 Article XIV, Zoning And Permitted Uses,  
Specifically The LB-3 Limited Business District 3 Of The Code Of The Borough Of  
Westwood~~

**Ordinances 12-15 through 12-18 were removed from consideration and referred back to the  
Planning Board for further review.**

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**12-19      An Ordinance To Amend Chapter 129-2 Construction Code Fee Schedule A,  
Specifically To Add Backflow Preventers To The Plumbing Subcode Fees**

**BE IT RESOLVED** that Ordinance #12-19 entitled “An Ordinance To Amend Chapter 129-2  
Construction Code Fee Schedule A, Specifically To Add Backflow Preventers To The  
Plumbing Subcode Fees ” is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said  
ordinance with a July 17, 2012 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Quinn

Second: Councilmember Grefrath

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Absent	Councilmember Quinn – Yes
	Councilmember Sciara – Absent	Council President Waneck – Yes

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**12-20      An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New  
Jersey Providing For Various Renovations To The Borough Library And Related  
Expenses And Appropriating \$30,000 Therefor From The Borough’s Capital Fund**

**BE IT RESOLVED** that Ordinance #12-20 entitled “An Ordinance Of The Borough Of Westwood,  
In The County Of Bergen, New Jersey Providing For Various Renovations To The  
Borough Library And Related Expenses And Appropriating \$30,000 Therefor From The  
Borough’s Capital Fund ” is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said  
ordinance with a July 17, 2012 hearing date in the official newspaper according to law.

Council President Waneck explained that the Library has fully funded this ordinance.

**Motion to pass the ordinance on First Reading:** Council President Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Absent	Councilmember Quinn – Yes
Councilmember Sciara – Absent	Council President Waneck – Yes

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**12-21 Hurricane Irene DR-4021 Hazard Mitigation Grant Federal and State Grant Funded Bond Ordinance**

**BE IT RESOLVED** that Ordinance #12-21 entitled “Hurricane Irene DR-4021 Hazard Mitigation Grant Federal and State Grant Funded Bond Ordinance” is hereby introduced by title; and  
**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a July 17, 2012 hearing date in the official newspaper according to law.

Council President Waneck explained that FEMA and the State are providing the funding for the purchase of flood-prone houses.

**Motion to pass the ordinance on First Reading:** Council President Waneck

Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Absent	Councilmember Quinn – Yes
Councilmember Sciara – Absent	Council President Waneck – Yes

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**Ordinances for Adoption**

**12-12 An Ordinance To Amend Chapter 249, Peddling And Soliciting**

**BE IT RESOLVED** that Ordinance #12-12 entitled “An Ordinance To Amend Chapter 249, Peddling And Soliciting”, having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Miller Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**

No comments.

**Motion to close the public hearing:** Councilmember Miller Second: Councilmember Grefrath

Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #12-12 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Miller Second: Councilmember Grefrath

Roll Call: Councilmember Grefrath – Yes	Councilmember Miller – Yes
Councilmember Phayre – Absent	Councilmember Quinn – Yes

Councilmember Sciara – Absent

Council President Waneck – Yes

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**12-13      An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Capital Improvements And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$560,000 Therefor, And Providing For The Issuance Of \$532,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same.**

**BE IT RESOLVED** that Ordinance #12-13 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Various Capital Improvements And Other Related Expenses In And For The Borough Of Westwood And Appropriating \$560,000 Therefor, And Providing For The Issuance Of \$532,000 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same.”, having hereby been read by title, shall have a hearing held on this date.

**Motion to open the public hearing:** Council President Waneck    Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**  
No comments.

**Motion to close the public hearing:** Council President Waneck    Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #12-13 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Council President Waneck    Second: Councilmember Grefrath

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Absent	Councilmember Quinn – Yes
	Councilmember Sciara – Absent	Council President Waneck – Yes

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**12-14      An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Costs Associated With The Closure Of A Landfill Located In The Borough Of Westwood And Appropriating \$35,000 Therefor And Providing For The Issuance Of \$33,250 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same**

**BE IT RESOLVED** that Ordinance #12-14 entitled “An Ordinance Of The Borough Of Westwood, In The County Of Bergen, New Jersey, Providing For Costs Associated With The Closure Of A Landfill Located In The Borough Of Westwood And Appropriating \$35,000 Therefor And Providing For The Issuance Of \$33,250 In Bonds Or Notes Of The Borough Of Westwood To Finance The Same”, having hereby been read by title, shall



have a hearing held on this date.

**Motion to open the public hearing:** Councilmember Grefrath Second: Councilmember Quinn  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**Public Comments:**  
No comments.

**Motion to close the public hearing:** Councilmember Grefrath Second: Councilmember Miller  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**BE IT RESOLVED** that an Ordinance known as #12-14 be passed on final reading and that a Notice of Adoption of said Ordinance be published in the official newspaper according to law.

**Motion for final adoption:** Councilmember Grefrath Second: Council President Waneck  
Roll Call: Councilmember Grefrath – Yes Councilmember Miller – Yes  
Councilmember Phayre – Absent Councilmember Quinn – Yes  
Councilmember Sciara – Absent Council President Waneck – Yes

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#### **14. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately. Resolutions t, u, v and w were added. Council President Waneck removed the Westvale Park electric bills from the bill list, advising that new meters are about to be installed and the old ones tested.

##### **Resolutions as Consent Agenda:**

- a) **Resolution #12 - 164: Bill List & Statement of Cash**
- b) **Resolution #12 - 165: Authorizing a Fee for Issuance of Duplicate Tax Sale Certificates**
- c) **Resolution #12 - 166: Authorizing Redemption of Tax Sale Certificate #11-00006**
- d) **Resolution #12 - 167: Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to Chapter 99 of the Public Laws of 1997 for Tax Sale Certificate #11-00006**
- e) **Resolution #12 - 168: Authorizing the Issuance of a Duplicate Tax Sale Certificate Pursuant to Chapter 99 of the Public Laws of 1997 for Tax Sale Certificate #11-00007**
- f) **Resolution #12 - 169: Authorizing Execution of Grant Agreement for ADA Curb Cut Engineering Design**
- g) **Resolution #12 - 170: Authorizing Execution of Grant Agreement for ADA Curb Cut Construction**
- h) **Resolution #12 - 171: Award of Bid for Improvements to Isaac D. Bogert/Veterans Park**
- i) **Resolution #12 - 172: Authorizing Purchase of Lights for Isaac D. Bogert/Veterans Park**

- j) **Resolution #12 - 173: Authorizing the Purchase of Two Police Vehicles**
- k) **Resolution #12 - 174: Appointment of OEM Coordinator**
- l) **Resolution #12 - 175: Authorizing Execution of Hazard Mitigation Grant Agreement**
- m) **Resolution #12 - 176: Department of Environmental Protection – Green Acres Enabling Resolution**
- n) **Resolution #12 - 177: Authorization to Enter Grant Agreement – Community Garden Passive Park Creation**
- o) **Resolution #12 - 178: Renewal of 2012-2013 Liquor License – Sai Ganesh, LLC d/b/a Center Convenience**
- p) **Resolution #12 - 179: Renewal of 2012-2013 Liquor Licenses**
- q) **Resolution #12 - 180: Use of Veterans Park for Troop #321 Girl Scouts for a Bridging Ceremony**
- r) **Resolution #12 - 181: Approval of Water Main Extension – Chowdhury – 33 Grand Street**
- s) **Resolution #12 - 182: Limo/Taxi License – NA Limo**
- t) **Resolution #12 - 183: Capital Budget Amendment**
- u) **Resolution #12 - 184: Authorization to Issue Estimated Tax Bills**
- v) **Resolution #12 - 185: Opposing S96/A2217**
- w) **Resolution #12 - 186: Use of Westvale Park for Dogfest 2012**

**Motion to adopt resolutions #12-164 through #12-186:** Councilmember Grefrath

Second: Council President Waneck

Roll Call: Councilmember Grefrath – Yes    Councilmember Miller – Yes  
              Councilmember Phayre – Absent    Councilmember Quinn – Yes  
              Councilmember Sciara – Absent    Council President Waneck – Yes

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## **15. Adjournment:**

**Motion to adjourn:** Council President Waneck    Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:37 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk